

# State of South Dakota

## EIGHTY-FOURTH SESSION LEGISLATIVE ASSEMBLY, 2009

255Q0440

### SENATE ENGROSSED NO. **SB 105** - 2/9/2009

Introduced by: Senators Maher, Bartling, Bradford, Howie, Peterson, and Vehle and  
Representatives Peters, Cronin, Frerichs, Kirkeby, Moser, Olson (Betty),  
Russell, Schrempp, Street, and Verchio

1 FOR AN ACT ENTITLED, An Act to require the State Brand Board to provide certain reports  
2 and information and to provide for Senate confirmation for Brand Board members.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 40-18 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 The State Brand Board shall make an annual report to the Legislature. The report shall  
7 describe and document the activities of the board for the previous calendar year and shall  
8 include the following:

- 9 (1) The number and type of livestock that have been inspected during the previous  
10 calendar year under the auspices of the board;
- 11 (2) The amount collected in inspection fees for the previous calendar year;
- 12 (3) The number and type of livestock that have been reported lost or stolen during the  
13 previous calendar year;
- 14 (4) The number and type of livestock that were placed on hold status pursuant to



1           § 40-21-12 during the previous calendar year if the hold status was not resolved at  
2           the livestock auction market and if the hold status was reported to the Brand Board  
3           office by the livestock auction market, and the disposition of such cases;

4       (5)   An accounting for any money paid to owners of livestock that had been placed on  
5           hold status;

6       (6)   An accounting for livestock for which ownership is not established and for any  
7           money associated with such livestock that is placed in the livestock ownership  
8           inspection and theft prevention fund pursuant to § 40-21-17;

9       (7)   The number of investigations conducted and the number of convictions obtained;

10      (8)   Other information requested by the committee or other information that the board  
11           deems appropriate to provide to the committee.

12      The report is due, in writing, for delivery to the committees not later than the first day of the  
13      annual legislative session. Each committee may also require the board to present the report in  
14      person at a meeting of the committee held during the legislative session.

15      Section 2. That § 40-18-1 be amended to read as follows:

16      40-18-1. The State Brand Board shall consist of five members appointed by the Governor  
17      and confirmed by the Senate. Statewide nonprofit agricultural organizations or other interested  
18      persons, may submit nominations to the Governor.